

United States Senate

February 5, 2021

The Honorable Alejandro Mayorkas
Secretary
The Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

Dear Secretary Mayorkas:

We are writing to request that the Department of Homeland Security (DHS) establish a clear zero-tolerance stance for domestic violence and take immediate steps to enforce the current federal law known as the “Lautenberg Amendment.” It is imperative that DHS keep firearms out of the hands of those convicted of domestic violence or subject to a restraining order.

Nearly twenty-five years ago, Congress adopted an amendment by former Senator Frank Lautenberg to prevent domestic abusers from obtaining firearms.¹ The Lautenberg Amendment to the Gun Control Act of 1968 makes it a felony for anyone convicted of a misdemeanor crime of domestic violence to ship, transport, receive or possess firearms. There are no exceptions for federal law enforcement officers. A 2017 Stanford study found that implementing this amendment resulted in a seventeen percent decrease in murders of intimate female partners.²

Regrettably, some of the nation’s law enforcement agencies charged with protecting the public have failed to comply with this important law. Last year, the DHS Inspector General found that Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) failed to check their agents through the FBI databases that would have flagged domestic abusers.³ In addition, the Inspector General noted that CBP, ICE, Secret Service, and Transportation Security Administration (TSA) neglected to provide the required domestic violence awareness training to law enforcement officers.⁴

We request that DHS act swiftly to ensure that federal law enforcement meaningfully addresses domestic violence within its ranks. In addition to mandating domestic violence training at all DHS law enforcement agencies, we request that you take action to ensure that all federal officers are appropriately screened for domestic violence convictions on an ongoing basis. Finally, we respectfully ask that you report back to Congress within six months of receipt of this letter on your progress to ensure that DHS is fully compliant with the Lautenberg Amendment.

¹ <https://www.justice.gov/archives/jm/criminal-resource-manual-1117-restrictions-possession-firearms-individuals-convicted>

² <https://news.stanford.edu/2017/12/07/new-study-analyzes-recent-gun-violence-research/>

³ <https://www.oig.dhs.gov/sites/default/files/assets/2020-11/OIG-21-09-Nov20.pdf>

⁴ *Id.*

Thank you for your attention to this serious issue. We look forward to working with you on this important issue.

Sincerely,

/s/ Robert Menendez
Robert Menendez
United States Senator

/s/ Gary C. Peters
Gary C. Peters
United States Senator

/s/ Cory A. Booker
Cory A. Booker
United States Senator

/s/ Patty Murray
Patty Murray
United States Senator

/s/ Sherrod Brown
Sherrod Brown
United States Senator

/s/ Edward J. Markey
Edward J. Markey
United States Senator

/s/ Richard Blumenthal
Richard Blumenthal
United States Senator

/s/ Chris Van Hollen
Chris Van Hollen
United States Senator

/s/ Tim Kaine
Tim Kaine
United States Senator

/s/ Amy Klobuchar
Amy Klobuchar
United States Senator

/s/ Jeffrey A. Merkley
Jeffrey A. Merkley
United States Senator

/s/ Mazie K. Hirono
Mazie K. Hirono
United States Senator